

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PERRY A. WILCOX,	:	
	:	
Plaintiff,	:	Civ. No. 21-17905 (RBK) (MJS)
	:	
v.	:	
	:	
JODY HIRATA, et al.,	:	MEMORANDUM & ORDER
	:	
Defendants.	:	
	:	

Plaintiff is a pretrial detainee proceeding *pro se* with a proposed amended civil rights complaint filed pursuant to 42 U.S.C. § 1983. (*See* ECF 8). Previously, this Court granted Plaintiff's application to proceed *in forma pauperis*. (*See* ECF 4). Typically, this Court would now screen Plaintiff's proposed amended complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine whether the proposed amended complaint is frivolous or malicious, fails to state a claim upon which relief may be granted, or whether Plaintiff seeks monetary relief from a defendant who is immune from suit. However, since filing the proposed amended complaint, Plaintiff has submitted several documents that could be construed as Plaintiff seeking to add claims/parties to his proposed amended complaint. (*See* ECF 9, 10, 12, 13 & 14). Such piecemeal attempts by Plaintiff to amend his amended complaint are not permitted. *See Lewis v. Sessions*, No. 17-5475, 2017 WL 7313822, at *6 (D.N.J. Nov. 3, 2017) ("neither Fed. R. Civ. P. 8, which governs pleadings, nor Fed. R. Civ. P. 15, which governs amended and supplemental pleadings, permits [a plaintiff] to submit ... addenda to his Complaint in ... piecemeal fashion"). Instead, Plaintiff needs to file one all-inclusive proposed second amended complaint.

Accordingly, Plaintiff shall be given a short period of time in which to file a proposed all-inclusive second amended complaint that contains all of the claims Plaintiff seeks to bring in this

action. Should Plaintiff not file a proposed all-inclusive second amended complaint within the time allotted, this Court will only screen those claims and allegations found in his proposed amended complaint, ECF 8.

Accordingly, IT IS on this 5th day of September, 2023,

ORDERED that Plaintiff shall have thirty (30) days from the date of this order in which to submit an all-inclusive proposed second amended complaint that will still be subject to this Court's *sua sponte* screening; should Plaintiff fail to do so within the time allotted, this Court will screen only those claims and allegations found within Plaintiff's proposed amended complaint, ECF 8; and it is further

ORDERED that for case management purposes only, the Clerk shall administratively terminate this case; this case shall be reopened upon Plaintiff filing a proposed all-inclusive second amended complaint, or, if Plaintiff chooses not to file a proposed all-inclusive amended complaint, upon the expiration of the time for Plaintiff to do so as outlined in this order; and it is further

ORDERED that the Clerk shall serve this order and a blank copy of prisoner civil rights complaint form (DNJ-ProSe-006-ProSePrisCvRhtsCmpFrm-STANDARD-(Rev.12-2020) on Plaintiff by regular U.S. mail.

s/ Robert B. Kugler
ROBERT B .KUGLER
United States District Judge